

Message Text

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ORIGIN ORM-02

INFO OCT-01 ISO-00 SR-02 /005 R

66612

DRAFTED BY:S/R:ORM:JMCHALE

1/29/74 EXT 22411

APPROVED BY:S/R:LAWIESNER

S/R:ORM-MR. PAPPAS

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P 292025Z JAN 74

FM SECSTATE WASHDC

TO AMEMBASSY VIENNA PRIORITY

AMEMBASSY BUDAPEST PRIORITY

UNCLAS STATE 018820

FOLLOWING REPEAT MATAMOROS 0001 SENT ACTION SECSTATE WASHDC

INFO MEXICO DATED 24 JAN 1974:

QTE

UNCLAS MATAMOROS 0001

E.O. 11652: N/A

TAGS: CGEN

SUBJECT: CGEN: BORTELY,(JANOS

FOR SCA AND ORM

1. SUBJECT IS HUNGARIAN NATIONAL BORN MARCH 21, 1942 EGER HUNGARY WHO ENTERED AUSTRIA LATE 1972 (CIRCUMSTANCES AND DATE UNKNOWN), OBTAINED AUSTRIAN TRAVEL DOCUMENT AND U.S. K-1 VISA AMEMBASSY VIENNA ON APRIL 18, 1973 TO CONTRACT MARRIAGE TO U.S.C. BARBARA DONDO AT LOS ANGELES CALIF. STATES ENTERED U.S. AT NEW YORK APRIL 20, 1973 VIA PAN AM.

2. BORTELY WAS SUBJECT OF INVESTIGATION BY I.N.S. AUTHORITIES LOS ANGELES (FILE A-20-524-733) WHEN ALLEGEDLY REFUSED MARRIAGE TO USC AND INSTEAD PURPORTEDLY SOUGHT ASYLUM WITHIN UNCLASSIFIED

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USA. I.N.S. OFFICE BROWNSVILLE, TEXAS INFORMED CONSULATE

JAN 23 SUBJECT'S AUSTRIAN TRAVEL DOCUMENT PICKED UP BY
LOS ANGELES OFFICE I.N.S. SEPTEMBER 1973 AND OPINION RE
ASYLUM REQUEST SOUGHT BY LETTER ADDRESSED DEPARTMENT OF STATE
SEPTEMBER 11, 1973. NO RESPONSE THUS FAR TO REQUEST,
ACCORDING INS.

3. BORTELY IN INTERIM ENTERED MEXICO ILLEGALLY NOVEMBER
1973, TRAVELED SOUTH AS FAR AS TENOSIQUE, CHIAPAS WHERE
APPREHENDED BY MEXICAN IMMIGRATION AUTHORITIES DECEMBER
7. SUBJECT INTERNED TEMPORARILY TENOSIQUE AND MEXICO CITY
AND, VIEW LACK OF DOCUMENTATION OF ANY SOVEREIGN STATE,
ORDERED DEPORTED TO U.S. (COUNTRY OF LAST "RESIDENCE") IN
ACCORDANCE WITH MEXICAN IMMIGRATION CODE.

4. SUBJECT TRANSPORTED TO MATAMOROS JAN. 23, 1974 WHERE
MEXICAN REQUEST TO RELEASE INTO CUSTODY U.S. IMMIGRATION
OFFICIALS DENIED DUE LACK OF PROPER ENTRY DOCUMENTS. MEXICAN
IMMIGRATION AUTHORITIES THEN BROUGHT BORTELY AMCONSULATE
SEEKING ASSISTANCE RE-ENTRY U.S., EXPLAINING PROVISIONS
MEXICAN LAW. PRIVATE CONVERSATION WITH BORTELY, HOWEVER,
WHO SPEAKS ONLY HUNGARIAN
GAVE CONSULATE REP IMPRESSION HE DESIRES RETURN TO AUSTRIA,
VOLUNTEERED NO INFORMATION ASYLUM. CONSULATE THEREFORE
LOCATED LOCAL AMERICAN RESIDENT WITH FLUENCY HUNGARIAN LANGUAGE
IN EFFORT CONFIRM BORTELY'S STATEMENT FORMALLY IN WRITING.
IN PRESENCE INTERPRETER, MEXICAN IMMIGRATION OFFICIAL AND
CONSULATE OFFICIAL JAN. 24 BORTELY REFUSED CONSIDER SIGNING
SIMPLE STATEMENT IN HUNGARIAN/ENGLISH/SPANISH STATING PERSONAL
WISHES, COMMENTING VERBALLY THAT HE DESIRES "SPEAK WITH
AUSTRIAN CONSUL." ATMOSPHERE FRIENDLY, INFORMAL BUT SUBJECT
ADAMANT IN REFUSAL CONVEY WISHES BY AFFIDAVIT.

5. GIVEN AFOREMENTIONED CIRCUMSTANCES DO NOT BELIEVE
CONSULATE IN APPROPRIATE POSITION ACCEDE TO MEXICAN OFFICIAL
REQUEST INASMUCH AS BORTELY CURRENTLY INELIGIBLE U.S. NIV
OR WAIVER ACTION. CONSULATE HAS THEREFORE ENLISTED ASSISTANCE
U.S.I.N.S./BROWNSVILLE EXPEDITE TRANSFER BORTELY'S AUSTRIAN
TRAVEL DOCUMENT TO MATAMOROS FOR DELIVERY TO MEXICAN OFFICIALS,
ACTION WHICH PRESUMABLY WOULD LEAD TO SUBJECT'S EVENTUAL
REPATRIATION BY MEXICAN GOVERNMENT TO AUSTRIA THROUGH
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OFFICES AUSTRIAN EMBASSY MEXICO CITY.

6. IN VIEW PROSPECTIVE ACTION OUTLINED PARA FICE REQUEST DEPT'S
ADVICE SOONEST WHETHER (A) DECISION IN PURPORTED ASYLUM
MATTER HAS SINCE BEEN ACTED UPON, AND WHICH MIGHT ALTER
PRESENT CIRCUMSTANCES, (B) OTHER MITIGATING FACTORS EXIST
UNKNOWN TO CONSULATE. BORTELY PRESENTLY CONFINED CITY JAIL
MATAMOROS PENDING FURTHER DEVELOPMENTS. BIGELOW UNQTE KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 29 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE018820
Document Source: CORE
Document Unique ID: 00
Drafter: S/R:ORM:JMCHALE
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t1974018/aaaaagyz.tel
Line Count: 115
Locator: TEXT ON-LINE
Office: ORIGIN ORM
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 27 FEB 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27 FEB 2002 by elbezefj>; APPROVED <30 APR 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CGEN: BORTELY,(JANOS FOR SCA AND ORM
TAGS: CGEN
To: VIENNA BUDAPEST
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005